

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

GENERAL ELECTRIC CAPITAL)
CORPORATION,)
)
Plaintiff,) Case No. 08 C 1199
)
v.) Judge Lefkow
)
JAMES S. KOENIG, an individual, and) Magistrate Judge Mason
ASSET REAL ESTATE & INVESTMENT)
COMPANY, a California corporation,)
)
Defendants.)

**UNOPPOSED MOTION FOR SECOND EXTENSION OF TIME
TO RESPOND TO THE COMPLAINT**

Defendants, JAMES S. KOENIG ("Koenig") and ASSET REAL ESTATE & INVESTMENT COMPANY ("Asset"), through their counsel, Michael R. Turoff, Sharilee K. Smentek and Arnstein & Lehr LLP, of counsel, move this Court for a second extension of time to respond to the Complaint. In support of their motion, Koenig and Asset state:

1. On February 27, 2008, Plaintiff filed its Complaint against Koenig and Asset. Shortly thereafter, Plaintiff caused Summons to issue to Koenig and Asset.
2. On March 25, 2008, this Court granted Koenig and Asset an extension of time to respond to the Complaint. A copy of the March 25, 2008 Order is attached as Exhibit 1. Pursuant to the Order, Koenig and Asset's response to the Complaint is due April 16, 2008 and a status hearing is set for April 24, 2008 at 9:30 a.m.
3. Since entry of that Order, Koenig and Asset's counsel and Plaintiff's counsel have been discussing a possible resolution of this matter. Accordingly,

Plaintiff's counsel has agreed to extend the time for Koenig and Asset's response to the Complaint an additional two weeks to, and including, April 30, 2008.

4. In light of the requested extension and the ongoing discussions of resolution, Koenig and Asset also request that the April 24, 2008 status hearing be reset to a date after April 30, 2008.

5. Koenig and Asset are filing this motion in good faith and not for the purpose of delay.

WHEREFORE, Defendants, JAMES S. KOENIG and ASSET REAL ESTATE & INVESTMENT COMPANY, request that this Court enter an order extending the time for responding to the Complaint to, and including, April 30, 2008, resetting the status hearing to a date after April 30, 2008, and for such other relief this Court deems just and equitable.

JAMES S. KOENIG and ASSET REAL ESTATE & INVESTMENT COMPANY,

By: s/ Sharilee K. Smentek
One of Its Attorneys

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CERTIFICATE OF SERVICE

Sharilee K. Smentek, an attorney, certifies that she served the foregoing Unopposed Motion for Extension of Time to Respond to the Complaint on the party listed below on April 14, 2008:

Timothy J. Rivelli
WINSTON & STRAWN LLP
35 W. Wacker Drive
Chicago, IL 60601

via email notification served by the CM/ECF system.

s/ Sharilee K. Smentek